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Plan of Action

to strengthen the implementation of the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

2000-2004

I. INTRODUCTION

A. Historical background

1. The Vienna Declaration and Programme of Action adopted at the 1993 World Conference on Human Rights reaffirmed the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights and international law. The Vienna Declaration and Programme of Action was endorsed by the General Assembly in resolution 48/121 of 20 December 1993.

2. The World Conference on Human Rights recognized the need to strengthen the United Nations machinery in order to further the objective of universal respect and observance of international human rights standards and voiced concern for the growing disparity between the activities of the then Centre for Human Rights (restructured in 1998 as the Office of the High Commissioner for Human Rights) and the human, financial and other resources available to

carry them out. It requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources (Vienna Declaration and Programme of Action, Part II, para. 9).

3. One area profoundly affected by the lack of adequate resources has been the support provided to the expert bodies established to monitor the implementation of the six main international human rights treaties. The Committee on the Rights of the Child, in seeking ways to improve its working capacity, addressed this problem by proposing in 1995 the launching of a plan of action to strengthen the implementation of the Convention on the Rights of the Child. The High Commissioner for Human Rights launched the plan in 1996 and by July 1997 it had become operational through the hiring of a support team of five additional staff. The team has had a distinctly positive effect on the operation of the Committee.

4. In view of the success of that plan, the Committee on Economic, Social and Cultural Rights subsequently sought the hiring of additional support staff through the launching of a plan of action to strengthen the implementation of the International Covenant on Economic, Social and Cultural Rights. In May 1999, one additional staff was recruited under the plan.

5. The question of resources continues to be discussed at the meetings of the chairpersons of human rights treaty bodies, most recently during their ninth, tenth and eleventh meetings in 1998 and 1999. At their ninth meeting, the chairpersons, welcoming the successful operation of the plan of action to strengthen the implementation of the Convention on the Rights of the Child and the growing support for the plan of action for the International Covenant on Economic, Social and Cultural Rights, considered the time ripe for an overall plan of action to be developed, without affecting the operation of the existing plans of action. They recommended that an approach be taken capable of immediately increasing the available support for the work of the six treaty bodies by seeking voluntary funding (see A/53/125, annex, para. 24). Pursuant to that recommendation, the High Commissioner for Human Rights has developed, in consultation with the chairpersons and members of the concerned treaty bodies, the present Plan of Action to strengthen the implementation of the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

6. The High Commissioner for Human Rights attaches great importance to the efficient, competent and expeditious servicing of the treaty bodies. Towards that end, the High Commissioner fully supports the efforts of the chairpersons to consider innovative proposals to further rationalize and streamline the functioning of the treaty bodies. In the present plan the High Commissioner seeks to make additional resources available to the treaty bodies to enable them:

(a) To better fulfil their responsibilities and assist Governments, upon request, with respect to the reporting process;

(b) To coordinate follow-up to their findings and recommendations made in the context of both concluding observations and views on communications;

(c) To deal with matters requiring urgent action between sessions, including urgent communications and inquiries under article 20 (Committee against Torture);

(d) To develop or improve the electronic infrastructure to manage and make available to the general public the increasing volume of information and documentation relating to the treaty bodies; and

(e) To strengthen cooperation between the treaty bodies and to consider and test innovative methods of work, aimed at maximizing their effectiveness and efficiency.

B. The treaty bodies

7. The treaty bodies are committees of independent experts established to monitor the implementation of the core human rights treaties and their optional protocols. There are six treaty bodies in operation today: the Human Rights Committee, which monitors the implementation of the International Covenant on Civil and Political Rights and the Second Optional Protocol to the Covenant and administers its first Optional Protocol; the Committee on Economic, Social and Cultural Rights, which monitors the implementation of the International Covenant on Economic, Social and Cultural Rights; the Committee against Torture, which monitors the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Committee on the Elimination of Racial Discrimination, which monitors the International Convention on the Elimination of All Forms of Racial Discrimination; the Committee on the Elimination of Discrimination against Women, monitoring the Convention on the Elimination of All Forms of Discrimination against Women; and the Committee on the Rights of the Child, which monitors the Convention on the Rights of the Child. A seventh human rights treaty adopted by the General Assembly, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, envisions the establishment of a monitoring body when that treaty enters into force. Composed of independent experts elected by States parties and serving in their individual capacities, the treaty bodies provide a stable and non-political framework for the promotion and protection of human rights.

8. The present plan addresses the need for strengthened support for three treaty bodies: the Human Rights Committee (HRC), the Committee on the Elimination of Racial Discrimination (CERD) and the Committee against Torture (CAT). These committees are convened for two or three sessions each year in Geneva, each session normally being of three weeks' duration. In the case of the Human Rights Committee, one of its three annual sessions is held at United Nations Headquarters and all sessions are preceded by two working groups of one week's duration.

9. The main common functions of the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture are twofold: to examine reports submitted periodically by States parties and to examine complaints submitted by individuals of alleged violations of their rights under the respective treaty.[1] The Committee against Torture also assumes a third major responsibility: to examine information that seems to indicate that there is a systematic practice of torture in a State party and, if necessary, to conduct a confidential inquiry thereon.[2] In addition, the Committee on the Elimination of Racial Discrimination,[3] since its forty-fifth session (1994), regularly considers "early-warning measures

and urgent procedures" to prevent serious violations of the Convention. Early-warning measures are directed at preventing existing problems from escalating into conflicts. Through its urgent procedures, the Committee responds to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention. The Committee adopts decisions, statements or resolutions and takes further action as necessary under these mechanisms, including extending its "good offices" in the form of a mission of some Committee members to the territory of the State party concerned.

II. NEED FOR A PLAN OF ACTION

10. The international human rights treaty system is the product of five decades of intense reflection, codification and development of mechanisms to implement the principles proclaimed in the Universal Declaration of Human Rights. On the occasion of the fiftieth anniversary of the Universal Declaration and the five-year review of the Vienna Declaration and Programme of Action, in 1998, the international community took the opportunity to review progress made, inter alia in the implementation of the treaties and the functioning of their "custodians", the treaty monitoring bodies. The welcome achievements of recent years in the area of ratification of the treaties are most encouraging, as they present concrete evidence of the "universality of common human values" that the Organization strives to uphold and the Secretary-General and the High Commissioner for Human Rights are committed to promoting through universal ratification.

11. At the same time, however, the increase in workload created by the growing numbers of States parties has put considerable strains on the treaty bodies. The level of ratifications has direct implications for the number of States' reports to be examined, the number of complaints received under the optional complaints procedures and, in the case of the Committee against Torture, the demands made upon the inquiry procedure under article 20 of the Convention against Torture. In December 1990, the number of States parties to the International Covenant on Civil and Political Rights, the Convention against Torture and the International Convention on the Elimination of All Forms of Racial Discrimination totalled 272. By December 1999, that figure had increased by 53 per cent, to 417 States parties.

12. It has been pointed out that the treaty system currently functions, although imperfectly, only because a large number of reports are overdue. If all reports were to be submitted on time, the present working capacities of the treaty bodies would quickly be overwhelmed. With 144 States parties required to report every five years, if all reports were submitted on time (not including any special or urgent reports that may be requested), the Human Rights Committee would need to examine approximately 29 reports per year on average, in contrast to the 15 that are currently examined on average each year. For CAT, its 119 States parties are required to report every four years. That would represent approximately 30 reports per year, in contrast to the 16 reports examined on average each year. For CERD, its 156 States parties are required to report every two years, representing approximately 76 reports per year in contrast to the 30 reports that are now examined on average each year.

13. The complaints mechanism established under the Optional Protocol to the International Covenant on Civil and Political Rights, the invocation of which continues to rise dramatically each year, places additional demands on the body monitoring that treaty. The number of

ratifications of the Optional Protocol, by which States parties recognize the competence of the Human Rights Committee to examine individual complaints, has followed the general pattern of increase over the years. In December 1990, there were 49 States parties to the Optional Protocol and approximately 101 cases were dealt with[4] that year by the Committee; in December 1999, there were 95 States parties and 115 cases were dealt with that year. By way of illustration of the implications for the workload, the items of correspondence (letters, faxes, petitions, etc.) received under that procedure in 1996 numbered 1,198; in 1999, they totalled 1,741.[5] Adequate staff support would make it possible, in addition to dealing with correspondence, to follow up closely with the concerned parties to encourage compliance with deadlines for submission of comments at each stage of the process. Closer follow-up by support staff could lead to a significant reduction of the time that it normally takes for the Committee to arrive at a conclusion on a communication.

14. However, even if it were functioning with optimal servicing by the secretariat, the Human Rights Committee would be unable to deal with all the communications received, owing, inter alia, to its limited meeting time. In recent years, however, it has become apparent that the level of secretariat servicing provided to the Committee to assist it with this task has been inadequate. This is evident in the growing backlog of unattended correspondence facing the Committee: as at 31 December 1999, approximately 1,145 pieces of correspondence had not been responded to, despite considerable improvements recently made in productivity. It is also evident in the long delay in dealing with communications. A communication submitted to the Human Rights Committee today would take, on average, approximately three years before being concluded with the adoption of an admissibility decision or final view.[6] The three years, one of which is entirely attributable to the backlog, could be reduced to two years with strengthened servicing capacity. In addition, a considerable amount of correspondence submitted in Russian could be Optional Protocol communications but cannot be identified as such because of the lack of linguistically and legally qualified secretariat staff to deal with them. As a result, they take considerably longer to process than do communications submitted in a working language of the United Nations.

15. The Committee against Torture is also faced with a growing workload emanating from its complaints procedure. In 1990, when 30 States parties to the Convention had recognized the competence of the Committee to examine complaints, a total of five cases were dealt with by the Committee. By 1999, 40 States parties had made the relevant declaration and 38 cases were concluded that year. This represents an increase in the number of communications processed by the Committee against Torture from 1990 to 1999 of 760 per cent.[7] While there is currently no backlog before this Committee, the remarkable increase in the number of communications being received indicates a strong possibility that a backlog may soon develop. The staff provided to the Committee are working at full capacity to keep pace with the current workload. Should a backlog develop, many steps of the process would be hampered by delays, as is the experience of the Human Rights Committee, owing to the limited staff support and to the limited meeting time of the Committee to deal with additional communications.

16. In addition, the three treaty bodies are empowered to review complaints by States parties against other States parties. Although this procedure has never been invoked under any of the treaties, the treaty bodies must be prepared to deal with any additional responsibilities that may potentially arise from it.

17. The Committee against Torture is unique among the treaty bodies with regard to the inquiry procedure established under article 20 of the Convention against Torture. In accordance with this article, if the Committee receives information which appears to contain well-founded indications that torture is being systematically practised in the territory of a State party, it shall invite the State party to cooperate in the examination of the information and, if warranted, assign members to undertake a confidential inquiry. The nature of the proceeding requires careful review of often voluminous information, exchanges with the State party concerned, visits to the sites where violations are alleged to occur, if deemed necessary, and preparation of reports at each stage of the process. When the first inquiry was conducted during the period 1990-1992, it was the only article 20 proceeding taking place. In contrast, at its November 1999 session, the Committee was examining information under article 20 with regard to four States parties.

18. The treaty bodies are making efforts to examine the level of follow-up to their recommendations, contained in their concluding observations and their views on communications. Some follow-up activities may involve technical cooperation activities at the national level. Information on follow-up, would provide evidence as to the effectiveness of the treaty bodies' work. Such a welcome development, however, would require constant tracking and updating for which there is little capacity at present.

19. In this regard, the HRC designates a special rapporteur on follow-up of views whose principal function is to discuss with representatives of States parties whether any steps have been taken to follow up on the Committee's views on communications relevant to them. The Special Rapporteur normally undertakes such meetings during Committee sessions. He has never had an opportunity, at current resource levels, to conduct follow-up with a wide range of concerned national officials in their capitals where the need for dialogue is often concentrated. The level of resources attributed to follow-up activities has declined in recent years.

20. The functioning of the treaty bodies has also evolved in a way which requires considerably more support than in the early years of their existence. Most of them are seeking to: develop coherent methods of work and analysis; facilitate communication with States parties and intergovernmental and non-governmental organizations; formulate general comments or recommendations to assist States and others in better understanding the provisions of the treaties; and in general terms assure consistent monitoring under their respective treaties.

21. The growing interaction of the treaty bodies with outside partners would be much facilitated if there were an organized means by which to share information. In this regard, the Office of the High Commissioner for Human Rights has made tremendous progress in recent years with the development of systems for electronic information management and dissemination. Three developments in particular have significantly facilitated the management of information relevant to the treaty bodies.

22. First, the establishment of the treaty body database has permitted the electronic storage of thousands of records of facts (dates of ratification and entry into force of treaties, dates when States parties' reports are due, are submitted or are examined, etc.) as well as full-text documents (reports, concluding observations and comments, general comments and recommendations,

reporting guidelines, etc.). However, the database has evolved into a complex - and for many users a cumbersome - system. Ways to make the database more user-friendly have been examined but could not be implemented because of financial constraints.

23. A second database for communications has been developed, has undergone preliminary testing and is now ready for large-scale data-entry. However, it has not been possible to undertake the considerable effort needed to enter data into it, also because of financial constraints. This situation must be urgently addressed. The final views on individual communications adopted by those treaty bodies that administer a communications procedure serve as an important source of interpretation of treaty norms and guidance on their domestic application. In many cases, the final views have led States parties to modify existing or introduce new laws to bring their national legislation into line with international standards. It is therefore imperative that the communications database be made operational as soon as possible.

24. In order for the public information contained in both databases to be more accessible to the general public, they are now available on the United Nations human rights Web site (www.unhchr.ch). Concluding observations are generally made available to the public on the Web site within two working days of their adoption by the treaty bodies. Through the calendar of treaty body sessions, the daily press releases, the information on ratification, links to full-text copies of States parties' reports and concluding observations, etc., all persons who have access to the Internet may "virtually" participate in treaty body meetings. Once all views are loaded onto the communications database, the Web site will serve as the single most comprehensive and up-to-date source of treaty body information available. At the same time, continued efforts need to be made in order to enhance ease of use and to make it more interesting to a wider audience than human rights specialists.

25. Despite the high priority attached to their work, the level of resources allocated to the treaty bodies is cause for serious concern. The resource constraints experienced by the United Nations in the 1990s led to a significant decline in the number of Professional staff on regular-budget posts assigned to work with the treaty bodies, although some posts were recovered in the budget for the biennium 2000-2001. Normal servicing tasks and follow-up activities in the 1990s have been possible only through increased reliance on extrabudgetary or temporary personnel. Under these circumstances, there is little capacity to assist the treaty bodies with in-depth research into country situations or to test innovative procedures that might be developed, including with regard to the examination of States parties' reports and individual complaints.

III. OBJECTIVES

26. The present plan of action is aimed at strengthening support to the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture during the period 1 January 2000-31 December 2004. In the following section the main objectives of and activities envisaged under the plan are outlined.

A. Strengthening support for the reporting process

1. Developing a system of managing information on methods of preparing States parties' reports

27. Improving implementation of the treaties at the national level begins with the preparation of reports by the State party. The efficacy and quality of a committee's work is to a large extent linked to the quality of its dialogue with the representatives of the State party, which is based in large part on the State party's report.

28. In its General Comment 1, the Committee on Economic, Social and Cultural Rights explained the purposes of the reporting process. The general purposes are common to all of the human rights treaties that have provisions for State reporting. In that general comment, reporting under the human rights treaties is explained as a process, rather than as an event. It is a process of national dialogue between all relevant parts of the Government and organized civil society which should be started long before the drafting of a report begins and which should continue long after the concerned treaty body concludes its examination; ideally, the preparation of the report will initiate an ongoing dialogue.

29. The experience of treaty bodies would prove invaluable for persons preparing reports, particularly those undertaking this task for the first time. It is unfortunate, however, that information on the methods used by States parties to prepare reports is not systematically maintained. As the requirements for such a system have never been explored, the treaty bodies are not at present able to share such experiences among States parties, this despite the fact that a "clearing house" function is envisioned in many of the treaties whereby the collective experience of States parties could be shared through the treaty bodies. The plan seeks to enable the treaty bodies to perform this function better by envisaging the establishment of a system for collecting information on State practices in the reporting area. The plan will provide resources for the conceptualization, design and physical construction of such an information system, as well as its maintenance during the duration of the plan.

30. Depending on the pace of development, this system could eventually be expanded so as to be able to manage information on "best practices" of States and other national actors in the implementation of all provisions of the human rights treaties.

2. Assisting treaty bodies in the review of States parties' reports

31. One of the basic responsibilities of all treaty bodies is the examination of reports regularly submitted by States parties on the implementation of the relevant treaty. Performance of this function presupposes the undertaking of basic country research. While this is at present performed by the secretariat, treaty bodies need actively to seek relevant information from a variety of sources in order to be able to examine reports in their proper national, as well as international, context. Therefore, one of the basic objectives of the present plan will be to ensure that existing information is sought from all sources and made available to the treaty bodies, particularly country rapporteurs. This will enable the treaty bodies to examine States parties' reports with a better understanding of national realities and help them to identify areas of concern and develop recommendations.

32. Another consideration is the fact that treaty bodies must resume their dialogue with States parties where it last ended, except when they are examining an initial report. Treaty bodies thus need to be aware of developments that have taken place since the examination of the previous report. To this end, some treaty bodies, including the Human Rights Committee, receive varying versions of so-called "country analyses" containing an outline of concerns dealt with during the examination of the previous report, if any. The plan seeks to ensure that such information is made available to the Committee against Torture and the Committee on the Elimination of Racial Discrimination as well, if these committees should request it.

33. In recent years, a number of studies on promoting the effective functioning of the human rights treaty monitoring bodies have promoted a broad debate on the serious difficulties facing the treaty bodies and on possible solutions to them. Among the more innovative proposals was the possibility of requesting from States parties "focused" reports on specific issues of concern.[8] This would entail a thorough compilation and review of information from all sources, sufficiently in advance of the date on which a report is due in order to identify the issues that it should address. Through the plan, this approach could be tested with some periodic reports falling due under the broadest of the three treaties it covers, namely the International Covenant on Civil and Political Rights. The examination of possible concerns would begin with the concluding observations adopted on the previous report considered. The lessons learned from this experience could be drawn upon by other treaty bodies that may wish to consider adopting this type of approach.

B. Coordinating follow-up to treaty body recommendations

34. Following their examination of States parties' reports, treaty bodies formulate "concluding observations" or "concluding comments" in which they outline the positive aspects of a country situation, factors and difficulties in the implementation of the relevant treaty, subjects of concern and recommendations for better implementation of the treaty in the future. States parties are expected to present their efforts to follow up on the concluding observations in their next report.

35. Although the recommendations contained in concluding observations and comments are mostly addressed to the States parties, specific recommendations can also be addressed to the international community and the United Nations system. The General Assembly has repeatedly requested the treaty bodies to continue to consider ways in which technical assistance might be helpful to States parties when considering State reports, most recently in its resolution 53/138.

36. Therefore, in order to assist the treaty bodies in identifying areas where technical cooperation may be helpful, a survey of treaty body recommendations for technical assistance and a survey of existing human rights-related technical cooperation projects in States parties will be produced and maintained. These will serve as working tools to help treaty bodies formulate the most specific and implementable recommendations possible, follow general trends in technical cooperation activities and better liaise about the implementation of their recommendations with units in the United Nations Secretariat that conduct technical cooperation projects. These surveys will assist in the coordination of efforts to monitor this aspect of

follow-up to treaty body recommendations. A useful survey of technical cooperation projects is regularly prepared for the Committee on the Rights of the Child under the plan of action to strengthen implementation of the Convention on the Rights of the Child.

37. With regard to communications, when treaty bodies find a violation to have occurred, their "views" often contain recommendations to the State party. The Human Rights Committee appoints a special rapporteur on follow-up to maintain contact with States parties regarding their implementation of the Committee's views until the Committee is informed of implementation measures that are, in its view, satisfactory. The plan will aim at assisting the Special Rapporteur on follow-up to perform his responsibilities more actively and effectively. The plan will provide for the means for detailed cataloguing of implementation actions. It will also provide funds to enable the Special Rapporteur to travel to capitals in order to meet with relevant government officials of countries that do not appear to be making progress in this regard. Similar assistance can be made available for follow-up to the views of CAT and CERD if deemed necessary.

C. Strengthening support for matters requiring urgent action

38. The growing workloads of the treaty bodies have serious implications for the capacity of treaty bodies to deal with matters of urgency, particularly human rights violations and confidential inquiries. Procedures established to examine communications must allow them to be dealt with expeditiously; failure to do so undermines both their effectiveness and their credibility. The plan will provide resources to help HRC, CERD and CAT cope with their cases quickly and efficiently.

39. With regard to the Human Rights Committee, the plan will aim to eliminate the backlog in its entirety and thereby eliminate the average one-year delay in responding to correspondence. It will also provide sufficient resources to prevent a recurrence of the backlog during the period covered by the plan.

40 With respect to urgent communications and the confidential inquiry procedure under the Convention against Torture, the Committee against Torture is in need of means to address such matters vigorously and effectively. Under the plan, the Committee, or some designated members, will be able to meet between sessions and, if it deems necessary, conduct visits to States parties for this purpose. In addition, in view of the medical nature of many urgent cases involving torture, medical expertise will also be made available to the Committee under the plan, to help the Committee assess and deal with urgent allegations of torture under any of its procedures.

D. Electronic information management

41. As noted in paragraph 24 above, the establishment of the treaty body database has facilitated access by the general public to information produced by and for the treaty bodies, particularly through the United Nations human rights Web site. However, a 1998 review by an independent consultant concluded that a number of areas required improvement, owing to financial constraints they have not been addressed to date. The plan will ensure that those improvements are made to make the database as user-friendly as possible.

42. Further testing of a database for communications (see para. 25) will be undertaken once more data have been entered. If modifications are then considered necessary they should be made at that time and the developmental stage can come to a close. This database permits storage of the full text of views and decisions, as well as factual information, much like the treaty bodies database. It is designed to permit full tracing of communications, from their receipt by the United Nations through each stage of transmittal for comments to the author and the State party concerned and review by the HRC or its Working Group on Communications. The plan will operationalize the database by committing resources for full-scale data-entry for communications dealt with by the three committees, final testing, and any modifications that need to be made. The full text of all final views will be made accessible to the general public through a direct link with the OHCHR Web site. This is of particular relevance to national judges, lawyers, members of human rights organizations and academic institutions and other persons seeking information on domestic application of treaty provisions. Views will be retrievable through the Web site by several criteria, including by treaty provision, by State party and by name of author.

43. Another area with direct bearing on the quality of the reporting process is the ability of treaty bodies or some of their members to seek information from national non-governmental organizations (NGOs). While all the treaty bodies have established productive relations with international and some regional NGOs, which often collect information through their networks of national NGOs, treaty bodies have nevertheless considered it useful to establish direct relationships with national NGOs and thereby view information presented from national perspectives. Under the plan it is sought to develop a database of NGOs - national, regional and international - that have worked with the treaty bodies, in order to be able to invite them to become involved during the examination of future reports submitted by the country concerned. Such a database could be referred to with regard to other activities where the input of these NGOs might be useful, such as the organization of international meetings or the preparation of general comments on specific topics of relevance to them.

E. Strengthening cooperation between treaty bodies and experimenting with new methods of work

44. In recent years, a number of innovative proposals have been made and discussed within the framework of the World Conference on Human Rights, the Commission on Human Rights and the meetings of chairpersons, as well as at international meetings organized by private academic institutions. Many of the proposals are being actively addressed by the treaty bodies. Under the plan it is sought to facilitate exchanges not only within treaty bodies but also among them, including those not covered by the present plan.

45. For instance, with respect to proposals to amend the rules of procedure of the committees, to consider new methods of work, or to develop a common approach to related treaty provisions, inter-Committee meetings could be convened to enable members to engage in detailed discussions and to draft texts as appropriate. The meeting of chairpersons will be able to call for such meetings to be organized on specific topics, subject to the approval of the treaty bodies concerned. The chairpersons should specify the purposes and expected outcomes of the meetings called for.

46. The plan will thus provide concrete tools for treaty bodies to draw on their collective experiences when examining questions of reform and in coordinating activities relevant to several or all of them.

III. EXPECTED OUTPUTS

47. By the end of the term of the plan, the following will have been achieved:

(a) More productive dialogue with States parties. The plan will facilitate a more productive dialogue between treaty bodies and States parties in relation to the examination of the reports submitted by the latter on the implementation of the respective treaty. Specifically, it will make possible more thorough preparation of relevant background documents from a wide variety of sources to support treaty bodies in this function. Under the plan also, the necessary resources will be made available to enable the Human Rights Committee to identify issues of concern, on the basis of which it can request "focused" reports from State parties.

(b) Outline of concerns raised during the examination of previous reports. If the Committee against Torture and the Committee on the Elimination of Racial Discrimination so request, they will receive, when considering periodic (not initial) reports, an outline of concerns and questions raised during their examination of the previous report received from the same State party. The Human Rights Committee already receives such an outline in its "country analyses".

(c) System for management of information on methods of preparing States parties' reports. Under the plan resources will be provided for exploring the possibilities of establishing such a system. Based on the initial findings, this will permit the conceptualization, design and physical construction of this system, as well as its maintenance during the duration of the plan. If the system is well advanced during the course of the plan, resources could be devoted to its expansion to cover information on "best practices" in the implementation of treaty provisions. This system may be elaborated at a later stage.

(d) Survey of treaty body recommendations for technical assistance. A survey will be produced and maintained on a quarterly basis of all recommendations made by treaty bodies for specific types of technical assistance. The survey will be based on the concluding observations or comments adopted by the treaty bodies.

(e) Survey of human rights-related technical cooperation projects. A survey will be produced and maintained on a quarterly basis of all human rights-related technical cooperation projects.

The two surveys produced under outputs (d) and (e), when compared by country, should provide treaty bodies with good indications of where there is need for technical cooperation and where it has been implemented, the prevalent types of project being undertaken and, possibly, what types of projects may need to be developed.

(f) Support for follow-up on communications. Support will be provided to the Special Rapporteur on follow-up of views of the Human Rights Committee to enable him/her to

carry out his/her responsibilities more effectively. This includes the drawing up for each session of a list of cases requiring follow-up, which at present is done only once a year, and the organization of meetings with representatives of the States parties concerned, not only during sessions of the Human Rights Committee but also, if deemed necessary by the Committee, through visits to national capitals. That would enable the Special Rapporteur to meet with a wider range of national officials from relevant departments or ministries and to convey to them the importance of complying with the views of the Committee. The plan will allow for up to three country missions per year, normally of two working days' duration. The same level of support will be extended to a member of CERD and CAT authorized by the respective Committee to engage in follow-up of views on communications.

(g) Improved capacity of treaty bodies to deal with urgent matters. By the end of the period covered by the plan the HRC communications backlog will be cleared, including the large number of Russian-language correspondence items awaiting response. Resources will be made available to enable CAT, or some designated members, to meet up to two times between sessions, each time for no more than one week, to deal with urgent matters relating to communications or to the procedure under article 20 of the Convention against Torture. HRC and CERD will also be able to convene, if necessary, one inter-sessional meeting each year of a maximum of one week's duration, with the participation of all or part of its membership, to deal with urgent matters to be determined by the respective Committee. All meetings of this kind will normally take place in Geneva. If CAT so decides, it may use its funds to conduct visits to State parties to address urgent matters in relation to communications or to its article 20 procedure. Under the plan, it is also sought to make medical expertise available to the Committee as needed to help it assess and deal with allegations of torture, particularly those requiring urgent action.

(h) Operationalizing of the communications database. Under the plan, resources will be provided to ensure that the database that has been developed to manage the communications procedures is made operational as a matter of priority. The full text of all views adopted to date by HRC, CAT and CERD will be entered in the database. With respect to "living communications",[9] all relevant facts relating to all stages of processing reached to date, will be entered in the database. Final testing will be undertaken and any modifications then considered necessary will be made. Measures will be taken to make the final views easily retrievable through the OHCHR Website.

(i) Design, development and operationalizing of an NGO database. A database of information on national, regional and international non-governmental organizations that cooperate with the treaty bodies will be designed, developed, tested and loaded with data so as to be fully operational by the end of the period covered by the plan. In general terms, it should be capable of providing lists of NGOs by country, region and treaties or treaty articles to which their work is relevant. The following information will also be stored: contact information (address, fax and telephone number, name of representative, etc.), major activities, representation in Geneva and New York. These functions may be included within a larger system for maintaining information about external partners of the human rights mechanisms, including the treaty bodies, that is planned for development by OHCHR. It is envisaged that work on this system will commence in 2001, in line with the overall information technology strategy of the

Office. Due attention should be paid to ensuring that the NGO system is compatible with the database in use at the Non-Governmental Organizations Liaison Service of the United Nations, with a view to avoiding as far as possible duplication of data-entry and other efforts.

(j) Improved treaty bodies database. The user-friendliness of the treaty bodies database will be enhanced, based primarily on the 1998 recommendations of the independent consultant but also taking into account products that have since become available, relevant new developments in the field of information technology and feedback from users.

(k) Occasional meetings of designated members of treaty bodies. Up to three meetings of designated members of treaty bodies, including meetings not covered under the present plan, will be organized each year. Such meetings may be held in follow-up to recommendations of the inter-committee meetings or at the request of the chairpersons, with the approval of the treaty bodies concerned; the specific purpose and expected output of each meeting will be determined by the body requesting it. These ad hoc meetings will normally be of a maximum of one week's duration and will be held in Geneva.

IV. TARGET BENEFICIARIES

48. The direct beneficiaries of the plan will be the three treaty bodies covered under the plan, which, with strengthened support, should be able to function more efficiently and effectively. The other three treaty bodies will also benefit from the stronger mechanisms of inter-treaty body cooperation that will be developed through the plan.

49. States parties will also benefit from the more effective functioning of the treaty bodies. Specifically, the dialogue which they regularly conduct with treaty bodies will become more focused, the recommendations addressed to them will be more specific and they will be directed to more concrete programmes and projects to assist them in the implementation of those recommendations. In addition, the experimentation with "focused" reports envisaged under the plan should reduce the time between the receipt of States parties' reports and their examination by treaty bodies, which should lessen the need for States to update their information. The States parties should also benefit from the reduction in the time required to deal with communications and confidential inquiries made possible by the plan.

50. The ultimate beneficiaries of the plan will be persons living under the jurisdiction of States parties. Their enjoyment of human rights will be better monitored by the treaty bodies; they will have recourse to more efficient complaints procedures; and they and organizations working to promote and protect their human rights will have better access to public information emanating from the treaty bodies.

V. BUDGET

51. The plan of action will be financed entirely from voluntary contributions in the context of the overall fundraising efforts of OHCHR. Estimates of the resources required to implement all plan activities are set out in the table below, as well as the work-months and numbers of staff required.

Table 1. Resources required to implement the plan of action

Expected output	Staff required (work-months per year)	Annual requirements for staff ($)	Annual requirements for operational funds ($)	One-time costs (for purchase of office equipment, servers, software, licences, etc.)
1. (a) More productive dialogue with States parties	26.4 (L-2/3)	273 020	-	
(b) Outline of concerns raised during the examination of previous reports	2.4 (L-2/3)	24 820	-	
(c) Developing a system of managing information on methods of preparing States parties' reports	To be determined		To be determined	
(d) Survey of treaty body recommendations for technical assistance (quarterly)	2.4 (L-2/3)	24 820	-	
(e) Survey of human rights-related technical cooperation projects (quarterly)	2.4 (L-2/3)	24 820	-	
(f) Support for follow-up on communications (including up to 3 country visits of 1 Committee expert accompanied by a staff member)	2.4 (L-2/3)	24 820	61 136	
(g) Improved capacity of treaty bodies to deal with urgent matters (including communications, art. 20 inquiries (CAT) and other matters requiring fast decision-making by treaty bodies)	36.0 (L-2/3, HRC communications)	372 300	306 096	
	6.0 (L-2/3, CAT and CERD communications)	62 050		
	12.0 (L-2/3, CAT inquiries)	124 100		
	2.4 (L-2/3, HRC, CAT and CERD - organization of and follow-up to inter-sessional meetings)	24 820		
(i) One additional week of meetings attached to a regular session of HCR (costs of			334 254	

Expected output	Staff required (work-months per year)	Annual requirements for staff ($)	Annual requirements for operational funds ($)	One-time costs (for purchase of office equipment, servers, software, licences, etc.)
conference services and daily subsistence allowance of members)				
(ii) country missions by CAT (travel and DSA as appropriate) to site of mission (7 days) and to Geneva (3 days) for 2 members, 1 member of secretariat, 1 expert consultant, 2 interpreters			70 000	
(a)-(g) Secretarial support	12.0 (GS)	92 600	-	
(h) Operationalization of the communications database	Programmer and GS data entry clerk	119 000		2 400
(i) Design, development and operationalization of an NGO information system	Programmer and GS data-entry clerk	161 175		58 000
(j) Improved treaty bodies database		174 325*		13 800
(k) "Common approaches" meetings: occasional meetings of designated members of treaty bodies	3.0 (L-2/3) for preparation, conduct and follow-up of up to 3 meetings per year	31 025	174 980	
2. Administration of the plan of action	12.0 (L-5)	168 000	-	
3. Sub-total of annual costs 2001-2004	+ requirements of output (c)	1 701 695	946 466	
4. Programme support costs (13% of item 3, sum columns 3 and 4)		344 261		
Total annual costs 2001-2004 (sum of items 3 and 4, all columns, not including costs relating to output (c))		2 992 422		

* It is expected that this output will be implemented within two years of commencement.

Notes

[1] Only complaints submitted by individuals under the jurisdiction of States parties that have formally recognized a committee's competence to examine such complaints may be examined by that committee. A State party may do so by ratifying the Optional Protocol to the International Covenant on Civil and Political Rights (HRC) or making the declaration under article 22 of the Convention against Torture (CAT) or article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

[2] Under article 20 of the Convention against Torture. This procedure applies to all States parties to the Convention except those that have formally declared that they do not recognize the competence of CAT under this article.

[3] In accordance with the report of the Secretary-General to the forty-seventh session of the General Assembly on the work of the Organization (Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1)), which drew attention to "the need to consider ways to empower the Secretary-General and the expert human rights bodies to bring massive violations of human rights to the attention of the Security Council together with recommendations for actions".

[4] Cases concluded by adoption of final views, inadmissibility decisions or decisions to discontinue.

[5] See annex I.

[6] In July 1997, the Human Rights Committee amended its rules of procedure in relation to communications to merge two stages of the process, thus reducing the time required to deal with them. Under the amended rules, the Committee proceeds to adopt views on a communication's admissibility and merits at the same time. The estimated requirement of three years to process a communication assumes it is being dealt with under the new system.

[7] See annex III.

[8] See E/CN.4/1997/74, paragraphs 91-93. This proposal was discussed extensively by the chairpersons of the treaty bodies at their ninth and tenth meetings (see A/53/125, annex, paras. 30-31 and A/53/432, annex, paras. 29-31).

[9] The term "living communications" refers to communications currently being dealt with by a treaty body on which, therefore, no decisions or final views have yet been adopted.

Annex I

MONTHLY BREAKDOWN OF CORRESPONDENCE FOR THE HUMAN RIGHTS COMMITTEE, 1996-1999

	1996	1997	1998	1999
January	94	111	120	164
February	115	134	113	130
March	118	113	142	164
April	116	136	158	62
May	104	116	144	144
June	104	147	149	175
July	119	120	132	127
August	96	113	119	147
September	90	120	151	144
October	104	142	130	159
November	85	128	147	179
December	55	101	170	146
TOTAL	1 200	1 481	1 675	1 741

Annex II

OVERVIEW OF COMMUNICATIONS REGISTERED AND DEALT WITH BY THE HUMAN RIGHTS COMMITTEE SINCE 1980 UNDER THE OPTIONAL PROTOCOL TO ICCPR AND NUMBER OF STAFF ASSIGNED TO SERVICE THEM

Year	A. Number of States parties	B. Number of cases registered a/	C. Number of decisions adopted b/	D. Total number of cases dealt with (B + C)	Full-time staff assigned c/	
					Professional	General Service
1999	95	59	56	115	2.5	1
1998	93	53	63	116	2.25	1
1997	93	60	63	123	3	2
1996	89	56	64	120	4	2.5
1995	87	68	81	149	4.5	3
1994	79	37	90••	127	4	3
1993	74	46	66	112	4	3
1992	66	39	89	128	5	3.5
1991	59	43	60	103	5	3.5
1990	51	53	48	101	5	3.5
1989	48	42	64	106	5	3.5
1988	43	78•	35	113	4	3.5
1987	40	50•	27	77	4.5	3.5
1986	38	18	25	43	3.5	3.5
1985	36	14	33	47	2.5	3.5
1984	34	25	26	51	2.5	3.5
1983	31	30	44	74	2.5	3.5
1982	28	16	28	44	2	3.5
1981	27	33	28	61	2	3.5
1980	25	18	25	43	1.5	3.5

• Influx of Jamaican cases.

•• The Committee met for one additional week to deal with communications.

a/ Summaries prepared by the Secretariat and acted upon by the Special Rapporteur on New Communications; until the thirty-seventh session, the Committee dealt with new cases in plenary.

b/ Cases dealt with either in plenary or by the Working Group on Communications (Admissibility/Inadmissibility Views and Discontinued)

c/ The staff was also responsible for dealing with communications before the Committee against Torture and the Committee on the Elimination of Racial Discrimination until approximately March 1998.

Annex III

OVERVIEW OF COMMUNICATIONS REGISTERED AND DEALT WITH BY THE COMMITTEE AGAINST TORTURE SINCE 1988 UNDER ARTICLE 22 OF THE CONVENTION AGAINST TORTURE AND NUMBER OF STAFF ASSIGNED TO SERVICE THEM

Year	Number of States parties	Number of cases registered	Number of decisions adopted	Number of cases dealt with	Staff assigned
1999	40	26	39	65	Conventions Team
1998	39	24	30	54	Since Feb. 1998 covered by the Conventions Team
1997	39	39	17	56	Covered by the staff assigned to the Optional Protocol to ICCPR
1996	38	24	7	31	As in 1997
1995	38	18	11	29	As in 1997
1994	38	7	5	12	As in 1997
1993	38	3	1	4	As in 1997
1992	35	0	1	1	As in 1997
1991	34	3	3	6	As in 1997
1990	30	4	1	5	As in 1997
1989	28	0	3	3	As in 1997
1988	21	3	0	3	As in 1997